

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KEVIN BROWN,

Plaintiff,

v.

**ROBERT HERTZ and
JOSEPH GULASH,**

Defendants.

No. 03-CV-566-DRH

ORDER

HERNDON, District Judge:

Before the Court is Plaintiff's Stipulation of Dismissal With Prejudice as to Defendants Robert Hertz and Joseph Gulash. (Doc. 28). Pursuant to **FEDERAL RULE OF CIVIL PROCEDURE 41(a)**, a plaintiff may dismiss an action without order of the Court "by filing a stipulation signed by all parties who have appeared in the action." Plaintiff has filed such a stipulation and Defendants' counsel has signed it. (Doc. 28.) Accordingly, Plaintiff's action is **DISMISSED with prejudice**, each party to bear his or its own costs and attorneys' fees.

IT IS SO ORDERED.

Signed this 20th day of June, 2006.

/s/ David RHerndon
United States District Judge